

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Civil Action
No. 05CV40147FDS**

Tommark, Inc.,)	
Plaintiff)	MEMORANDUM IN SUPPORT
)	OF MOTION TO SUBSTITUTE
v.)	DEFENDANTS AND
)	AMEND COMPLAINT
Travelers Property and Casualty,)	
Defendant)	

The plaintiff brought suit against Travelers Property and Casualty Company in the mistaken belief that this “Company” was the correct entity.

The answer filed by Travelers provided the names of the various Travelers Companies and a corporate history so that the plaintiff now believes it has named the correct Travelers in its motion.

In the section of the Amended Complaint under “Facts”- paragraph 3, the plaintiff has listed four Travelers policies by way of an amendment which appear to have provided coverage to the plaintiff at some point or at various points in time as therein indicated. There is some confusion in this area and record keeper depositions of the insurance agents will be needed to clarify which policy was providing coverage during which period of time.

The plaintiff respectfully requests that the Motion be allowed.

Tommark, Inc.
by its attorney,

/s/ Timothy P. Wickstrom

Timothy P. Wickstrom
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CERTIFICATE OF SERVICE

I, Timothy P. Wickstrom, hereby certify that I have forwarded a copy of the foregoing Memorandum in Support of the Motion to Amend Complaint on the defendant by electronic filing to Brent Tingle, Morrison Mahoney, One Chestnut Place, 10 Chestnut Street, Suite 470, Worcester, MA 01608.

/s/ Timothy P. Wickstrom

Timothy P. Wickstrom